

December 9, 2013

Dr. Warren S. Casey
Acting Director, NICEATM
National Institute of Environmental Health Sciences
P.O. Box 12233
Mail Stop: K2-16
Research Triangle Park, NC 27709

RE: Request for Information on Alternative Skin Sensitization Test Methods and Testing Strategies and for Comment on ICCVAM's Proposed Activities (78 Federal Register 68076)

Dear Dr. Casey,

The Personal Care Products Council¹ appreciates the opportunity to provide input on the above referenced topic. Alternative skin sensitization test methods and testing strategies are of great interest to the personal care products industry. These comments address several important aspects of the subject.

• The Development of Non-Animal Methods is of Great Importance to the Cosmetics Industry

In Europe, the 7th Amendment to the Cosmetics Directive² that was adopted in 2003 bans the use of animal testing to evaluate the human safety of cosmetic products and their ingredients. A marketing ban is in place on cosmetics in Europe if the finished product or its ingredients have been tested using animals. The ban came into effect for the sensitization endpoint as of March 2013. As of this date, no cosmetic product containing an ingredient safety tested using animals for the purposes of the Cosmetics Directive is allowed for sale in Europe, irrespective of the availability of alternative, non-animal tests.

The ban has a major impact on the cosmetics industry, and as the industry is global in scope, that impact extends outside of Europe. ICCVAM has previously put efforts into the refinement of animal test

¹ Based in Washington, D.C. the Council is the leading national trade association representing the global cosmetic and personal care products industry. Founded in 1894, the Council's more than 600 member companies manufacture, distribute and supply the vast majority of finished personal care products marketed in the U.S. As the makers of a diverse range of products that millions of consumers rely on every day, from sunscreens, toothpaste and shampoo to moisturizer, lipstick and fragrance, personal care products companies are global leaders committed to product safety, quality and innovation.

² Directive 2003/15/EC of the European Parliament and of the Council of 27 February 2003

methods, notably the mouse local lymph node assay. While the value of animal testing data is recognized and appreciated, the cosmetics industry is very pleased to see ICCVAM putting its efforts and energy into the development of *in vitro/in silico* approaches for the assessment of sensitization, rather than refinement of animal tests, given the limitations under which the cosmetics industry operates.

Regulatory Acceptance of Alternative Test Methods is a Future Need

Looking ahead, as alternative methods are developed, their adoption will depend on acceptance by regulatory agencies. While current efforts are appropriately aimed at developing and validating methods to replace animal testing for sensitization, the cosmetics industry encourages ICCVAM to consider what activities are needed to lay the groundwork for future regulatory acceptance. It will be difficult to adopt new methods and testing strategies in the absence of regulatory acknowledgment that the new methods can be used to replace the existing animal testing methods.

The need for regulatory acceptance goes beyond the United States. Therefore, ICCVAM's collaboration with international agencies such as ECVAM and JaCVAM to promote global harmonization is also of great importance. ICATM, which was established as a coordinating body for the international agencies as part of the International Cooperation for Cosmetic Regulation (ICCR) activities, can serve an important role in the consideration of regulatory acceptance. The development and adoption of OECD test guidelines will be important in this effort.

Sensitization Assessment of Mixtures and Final Formulations Will Need to be Addressed

Currently, validation efforts which are underway by ECVAM are focused only on unique chemicals. Complex mixtures and formulated products are not included as test materials.

Addressing this area is important. Personal care products, along with most other consumer products, are mixtures of many ingredients, and testing of the final formulation may be required. Further, some individual ingredients are themselves complex mixtures, for example, botanical extracts. The cosmetics industry encourages ICCVAM to expand the scope of testing to encompass mixtures in addition to complex chemicals.

The Development of an Integrated Testing Strategy Will Require Acceptance Beyond the Individual Tests

The ultimate expected outcome of work done to develop alternative sensitization methods is the recognition of a strategy consisting of multiple tests used in an integrated manner, rather than a single stand-alone replacement test. ICCVAM efforts to promote the development, recognition and acceptance of a standard battery will be important. The future development of an OECD guideline is one mechanism to promote an integrated sensitization assessment strategy.

It will also be critical that the strategy maintain appropriate flexibility. For example, the best strategy may vary depending on the chemical class that is being evaluated. A customized assessment program

may also be dictated by the purpose of the testing. In one instance, the intent may be to develop screening results which enable human clinical testing; in another instance, the assessment plan may not include follow-up clinical testing. A strategy would need to allow for either purpose.

Thank you for your attention to these issues.

Sincerely,

/s/

Linda Loretz, Ph.D., DABT
Director, Safety and Regulatory Toxicology